

Exhibit F

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ZACHARY ADAMSON

Plaintiff

DISCLOSURE PURSUANT TO
FRCP 26 (a) (1)
CIVIL ACTION NO.: 11-CV-0663-A

-vs-

CITY OF BUFFALO, CITY OF BUFFALO
POLICE DEPARTMENT, JOSEPH COOK,
MICHAEL KEANE and SHARON ACKER

Defendants

Defendants, pursuant to FRCP 26 (a) (1) assert the following:

Rule 26(a)(1)(A)(i): All requests for discovery should be made to the Corporation Counsel of the City of Buffalo also known as the City of Buffalo Law Department located at Buffalo City Hall, 65 Niagara Square, 11th Floor, Buffalo, New York 14202. The City of Buffalo Law Department is counsel to the above named Defendants. The Law Department telephone number is 716-851-4343. It is anticipated that since this action arises due to an allegation of police conduct by employees/agents of the Buffalo Police Department, that any and all documentation would originate from the Buffalo Police Department in the form of business records kept by the Police Department in its ordinary course of business. As counsel for the Defendants including the individually named Defendants who are agents and/or employees of the City of Buffalo and who were presumably acting in the course of their employment, all relevant documentation would be in the possession of the Buffalo Police Department.

Rule 26(a)(1)(A)(ii): As stated above the category and location of any documents which may be relevant would be, based on the nature of this action, if they do exist, in the possession of the City of Buffalo Police Department. At this time enclosed for disclosure are the Buffalo Police Complaint

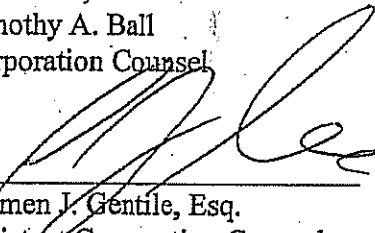
Summary Report, City of Buffalo Police Department's Central Booking Bureau Case History, Erie County Department of Central Police Services Warrant Information, the City of Buffalo Department of Police Crime and Incident Records Unit Appearance Ticket, CPL 710.30 and CPL 700.70 Statement Forms, City of Buffalo Police Report Miscellaneous, Buffalo Police Department Arresting/Booking Report, Buffalo Police Department Arrest Data Form, City of Buffalo Department of Police Central Booking Bureau Defendant Information and City of Buffalo Department of Police Central Booking Bureau Misdemeanor/Violation Information. Please note that these enclosed documents were retrieved from a file marked "SEALED" containing Plaintiff's information and are only being released pursuant to this court action. Obviously, the Plaintiff has consented to the release of these documents by filing suit regarding this matter. Also be advised that an Internal Affairs Division investigation was commenced with regard to this matter and is deemed under the realm of confidentiality.

Rule 26(a)(1)(A)(iii): The Defendants are in a pure defense posture.

Rule 26(a)(1)(A)(iv): The City of Buffalo is self-insured. The actions of the individually named Defendants, as employee/agents of the City of Buffalo and if acting within the course of their employment, would be subject to indemnification by the City of Buffalo if liability should attach.

Dated: Buffalo, New York
April 3, 2012

Yours etc.,
Timothy A. Ball
Corporation Counsel

By: 
Carmen J. Gentile, Esq.
Assistant Corporation Counsel
Attorneys for Defendants
65 Niagara Square
1100 City Hall
Buffalo, NY 14202
Tel. (716) 851-4332

TO: Joseph C. Todoro, Esq.
Spadafora & Verrastro, LLP
2 Symphony Circle
Buffalo, New York 14201

T:\wp60\eslcjg\adamsonrule26disclosure\4.2.12.doc

BUFFALO POLICE **COMPLAINT SUMMARY REPORT**

Report Date: 7/20/2011

10-0910893 AGENCY ASSIST
LEXINGTON AV@ELMWOOD AV (B2) Priority: 3

Disposition(s): 1. Assisted

Reported: 04/01/2010 19:46:03

Received: 04/01/2010 19:47:04

Dispatched: 04/01/2010 19:47:25

En Route: 04/01/2010 19:47:31

On Scene: 04/01/2010 19:49:42

Cleared: 04/01/2010 21:19:30

Officers: 1. 001242-FEENEY, THOMAS

Other Personnel: 1. 000088-BERGMANN, SHEILA M.

Received By: 001169-MILKS, KATHERINE E.

Dispatched By: 001169-MILKS, KATHERINE E.

Source: E-911

Remarks: 19:46:03 Entry Initiated
19:46:55 NARCOTICS NEEDS A TRANSPORT
19:47:04 Sent to Dispatch - AGENCY ASSIST - LEXINGTON AV@ELMWOOD AV (B2) Pri: 3
19:47:29 Dispatched (Primary) - B442
19:47:30 Enroute - B442
19:49:45 001242 On Scene - B442
20:10:53 Location Changed - B442 HOLDING CENTER
21:18:12 001242 Disposition Added - Assisted
21:19:30 001242 Cleared - B442
21:19:52 000088 Archived

Total Complaints:1

**CITY OF BUFFALO POLICE DEPARTMENT
CENTRAL BOOKING BUREAU
CASE HISTORY**

DEFENDANT: ADAMSON, ZACHARY, S.
AFN # 10-04078-18

THE OFFICER IN CHARGE OF A CASE IS THE OFFICER WITH THE MOST KNOWLEDGE OF THE EVENTS LEADING TO THE ARREST. THIS OFFICER WILL ALSO BE THE ONE TO SUBMIT ALL ITEMS OF AN EVIDENTIARY NATURE TO THE CPS LAB OR PROPERTY ROOM. THE OFFICER IN CHARGE MUST GIVE A CONCISE AND SUFFICIENTLY DETAILED ACCOUNT OF THE CASE WITH SPECIFICS PERTAINING TO ALL OFFICERS INVOLVED. THIS ACCOUNT WILL ACCOMPANY ALL PAPERWORK FORWARDED TO BUFFALO CITY COURT.

THE FOLLOWING SUMMARY REPRESENTS THIS CASE FILE TO THE BEST OF MY KNOWLEDGE:

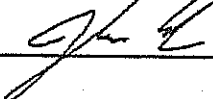
OFFICER IN CHARGE OF CASE: DET. JOSEPH COOK
FUNCTION(S) PERFORMED: INVESTIGATED, MADE ARREST

ASSISTING OFFICER #1: DET. MICHAEL KEANE
FUNCTION(S) PERFORMED: ASSISTED

ASSISTING OFFICER #2: DET. SHARON ACKER
FUNCTION(S) PERFORMED: ASSISTED

ASSISTING OFFICER #3: _____
FUNCTION(S) PERFORMED: _____

OFFICER PRINTED NAME: DET. JOSEPH COOK

OFFICER SIGNATURE: 

DATE: 4-1-10



ERIE COUNTY DEPARTMENT OF CENTRAL POLICE SERVICES

WARRANT INFORMATION

PRINTED: 04/01/2010 20:28:00

WARRANT INFORMATION

Number	Issued Date	Issuing Agency	Type	Complaint #	Extradition

Court	Judge	Predicate Felon	Vulnerable Victim

PERSONAL INFORMATION

Name	DOB	Sex	Race

Height	Weight	Build	Skin	Hair	Eyes	Ethnicity	Facial Features

Address	SMT

SSN	PCN	FBI	SID

CHARGES

Charge	Attempted Counts	Description

STATE DATA

68640013WS6864
 NYSP OINQ SJAM 2028
 NO RECORD NYSPIN ORDER OF PROTECTION FILE
 NAM/ADAMSON,ZACHARY
 SEX/M RAC/. DOB/07281956
 68640013WS6864
 NYSP PARQ SJAM 2028
 NY014023C
 NO RECORD - NYSPIN PAROLE FILE
 NAM/ADAMSON,ZACHARY
 .SEX/M.RAC/U.DOB/072856
 68640013WS6864
 NYIS WINQ SJAM 2028
 NY014023C

DCJS SEARCH RESULTS

NAM/ADAMSON,ZACHARY
 .SEX/M.RAC/U.DOB/1956-07-28

NO RECORD - NYSPIN WANTED PERSONS FILE
 68640013WS6864
 NCIC WINQ SJAM 2028

ACK

NY014023C

NO NCIC WANT NAM/ADAMSON,ZACHARY DOB/19560728 RAC/U SEX/M
 ***MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
 EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE EXTRADITION FROM THE
 INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS FILES ARE SEARCHED
 WITHOUT LIMITATIONS.

**C/ BUFFALO PD
POLICE REPORT
MISCELLANEOUS****Complaint
10-0910893**Report Date & Time
04/01/2010 19:47**INCIDENT**Address of Occurrence
585 ELMWOOD AVDistrict
'B'Tract
BUOcc. Date & Time
04/01/2010 19:47Day of Week
Thursday

Type of Premise

Status

Cleared By Arrest

Follow Up By

Supl
N

TT Mess#

TT Entry Date

TT Cancell#

TT Cancel Date

Officers: **D465 - COOK**Rep. Off.: **D465 - COOK**Supervisor: **D465 - COOK****OFFENDER***** **SEALED** ***Last Name
SEALED

First Name

MI

Ext

Birth Date

Race
BlackSex
MAge
53Juvenile
NArrested
YReport
PR**OFFENSES**

Law	Section	CA	CL	DG	Description	Report
PL	195.05	M	A	2	OBSTRUCT GOVERNMENTL ADMIN 2ND	PR
PL	240.20-03	V		0	DIS/CON OBSCENE LANG/GESTURES	PR
PL	240.20-05	V		0	DIS/CON OBSTRUCTING TRAFFIC	PR

NARRATIVEOfficer: **D465 - COOK**Supervisor: **D465 - COOK**Printed Date: **07/20/2011 10:15 AM**



RICI #: 05579453

Caution Indicator:

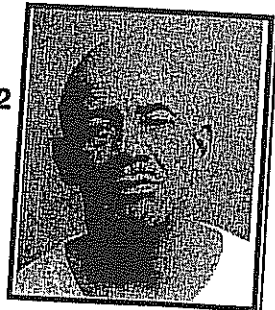
Agency Case #: 10-04078-18 (A)

**BUFFALO POLICE DEPARTMENT
ARRESTING/BOOKING REPORT**

 Report Date: 04/01/2010 21:20
 Report Printed By: PRICE, CARRIE

PERSON INFORMATION


NAME: **ADAMSON, ZACHARY S**
 DOB: **07/28/1956** AGE: **53** SEX: **Male** RACE: **Black**
 HEIGHT: **6'01** WEIGHT: **190** BUILD: **Medium** ETHNICITY: **Non-Hispanic** SS #: **083-48-1222**
 HAIR COLOR: **Black** HAIR TYPE: EYE COLOR: **Brown**
 EYE DEFECTS: FACE: SKIN TONE: DISABILITY:
 FACIAL FEATURES:
 SCARS/MARKS/TATTOOS:
 ADDRESS: **83 DELAM ST, BUFFALO NY 14209 US**
 HOME TELEPHONE: **(704)606-9184** MARITAL STATUS: **Legally Married**
 EDUCATION: **99** CITIZEN OF: **US** PLACE OF BIRTH: **NEW YORK NY**
 RELIGION: **Unknown** DRIVERS LICENSE #:
 NYSID #: **03872295-Y** FBI #: **488537MA9** LICENSE STATE:



ARREST/OFFENSE INFORMATION

INCIDENT #: **10-0910893** ARREST TYPE: **CIP - Crime in Progress**
 STATUS AT ARREST: **Appearance Ticket** ARRESTING AGENCY: **BUF**
 CONDITION AT ARREST: ARREST DATE/TIME: **04/01/2010 19:00**
 ARRESTING OFFICER: **COOK, JOSEPH**
 ASSISTING OFFICER:
 ADDRESS OF ARREST: **585 ELMWOOD AV, BUFFALO NY US**
 PRIMARY ARREST CHARGE: **PL 195.05 OBSTRUCT GOVERNMENTL ADMIN-2ND AM**

BOOKING INFORMATION

CJTN #: **64112768-M** BOOKING STATUS: **Normal** BAIL:
 BOOKING START DATE/TIME: **04/01/2010 20:28** BOOKING END DATE/TIME: **04/01/2010 19:46**
 ITEM(S) SEIZED AT ARREST:
 ARRAIGNMENT COURT: **NY014011J CITY OF BUFFALO**
 BOOKING COMMENTS: **DEF WAS BLOCKING PEDESTRIAN TRAFFIC AND DID REFUSE TO LEAVE WHEN OFFICERS TOLD HOM TO DO SO. DID STRUGGLE AND HAD TO BR FORCIBLY**
 F/P'S TAKEN BY: **DELLASALA, Stephan** DATE: **04/01/2010**
 NCIC CLASS. BY: DATE/TIME: **02/19/2001 22:22**
 ARRESTEE SIGNATURE: 
 Rolled Right Thumb
 NCIC CLASS: **10:12:10:16:14/ - 11:14:12:16:15/**

Arrest Charges:

Att.	Incident #:	Warrant #:	Summons #:
	PL 240.20-03 DIS/CON:OBSCENE LANG/GESTURES	N	10-0910893
	PL 240.20-05 DIS/CON:OBSTRUCTING TRAFFIC V	N	10-0910893
	PL 195.05 OBSTRUCT GOVERNMENTL ADMIN-2ND /	N	10-0910893

BUFFALO POLICE DEPARTMENT
ARREST DATA FORM

4537

DISTRICT OF ARREST: _____

PROPERTY: ☒ YES ☐ NO

MONEY \$ 0

DATE 4-1-10

INCIDENT NUMBER 10-091-0893

RICI# _____

AFN 10-04078-

DEFENDANT'S NAME

(LAST)

Adamson

Zachary Scott

(FIRST)

(M)

DATE OF BIRTH

7-28-56

AGE

54

ARRESTING OFFICER

Scott

ASSISTING OFFICER

Kearney / Baker

DIST. NEW ASSIGNMENT

1354

ARREST DATE

4-1-10

ARREST TIME

2000

ADDRESS OF ARREST

585 Elmwood Ave

CHARGES

240.2035

195.05

NARRATIVE

Defendant was Blocking Pedestrian Traffic

and did Refuse to leave when Officers

Told him to go. Did struggle & Have to Be

forcibly Handcuffed

DEFENDANT'S STREET NAME/ALIASES

- ~~Adamson~~

DEFENDANT'S ADDRESS

83 Daham Crt

CITY

Buffalo

STATE

NY

ZIP CODE

US CITIZEN ☒ YES ☐ NO

SOCIAL SECURITY NUMBER

MARITAL STATUS

Single

OCCUPATION

None

DEFENDANT'S SEX

M

HEIGHT

6'0"

WEIGHT

170

BUILD

Med

EYE COLOR

Brown

HAIR COLOR

-

SKIN TONE

Med

RACE

Blk

ETHNICITY

SCARS, MARKS, TATTOOS

WARRANTS ☐ YES ☒ NO

(IF YES, ATTACH COPY)

DEPUTY INITIALS

SO

SATISFACTORY ID ☐ YES ☐ NO

COMPLAINANT'S NAME

SONY

RELATIONSHIP

COMPLAINANT'S ADDRESS

CITY

STATE

ZIP CODE

PHONE NUMBER

HAS A CHEMICAL AGENT BEEN USED UPON PRISONER? ☐ YES ☐ NO

IF YES, NAME OF THE OFFICER ADMINISTERING THE CHEMICAL AGENT

VEHICLE TO BE IMPOUNDED? ☐ YES ☐ NO

PLATE #

LOCATION

TO BE ASKED BY THE PROCESSING DEPUTY (TO BE ASKED IN PRESENCE OF ARRESTING OFFICERS)

1. Are you injured? ☐ YES ☐ NO

If yes, describe injury, any bandages, stitches etc.

If yes, when were you injured? (date and time)

Have you received medical attention since your arrest? ☐ YES ☐ NO

(If yes, Arresting Officers are responsible for completing P-1261)

PROCESSING DEPUTY

BADGE #

DEFENDANT: ADAMSON, ZACHARY, S. DOB: 07/28/1956 Date Of Arrest: 04/01/10

Co-DEFENDANTS:

1.		DOB:
2.		DOB:
3.		DOB:

1. Officer in charge of case: DET. JOSEPH COOK

Assignment: NARCOTICS

Victim(s) / Witness (es)

Date / Chg'd

Purpose

Notice

Date / Initial

2. Name

Address

Phone

3. Name

Address

Phone

4. Name

Address

Phone

5. Name

Address

Phone

Erie County District Attorney - Buffalo City Court Disposition Form

Arrest Date:

Defense Attorney

Type

Bail Status

Judge

ADA

Disp. Date:

Charges

PL 20

Disposition

Disp. Code

Sentenced to:

240.20-3,5

195.05

710.30 ()

Supporting Dep. ()

Forensic Req. ()

Lab ()

Medicals ()

Breath Documents ()

Local/NYSISS ()

DMV ()

Albany ()

MV-104 ()

Readiness ()

Domestic Violence (-)

**City of Buffalo – Department of Police
Central Booking Bureau**

MISDEMEANOR/VIOLATION INFORMATION

State of New York, County of Erie, City of Buffalo Police Department

THE PEOPLE OF THE STATE OF NEW YORK

DEFENDANT(S)

VS ZACHARY S. ADAMSON
VS _____
VS _____
VS _____

DOB
7-28-11956

CASE NO.
10-04078-18

I, OFFICER JOSEPH COOK accuse the above named defendant(s) in this action, that on or about 4-2010 @ 2000HRS in the City of Buffalo, did intentionally, knowingly and unlawfully commit the misdemeanor/violation of DISORDERLY CONDUCT Contrary to the provision of 240.20-3 of the ☒ Pen. Law ☐ Vehicle and Traffic Law ☐ _____ Law of the State of New York ☐ Ordinances of the City of Buffalo.

The facts upon which this accusation is based are ☒ of my own knowledge ☐ on information and belief.

240.20 - 3,5 - DISORDERLY CONDUCT

IN THAT THE DEFENDANT, WHILE AT 585 ELMWOOD AVENUE, DID INTENTIONALLY CAUSE AND RECKLESSLY CREATE A PUBLIC INCONVENIENCE, ANNOYANCE AND ALARM BY USING OBSCENE LANGUAGE AND BY OBSTRUCTING VEHICULAR OR PEDESTRIAN TRAFFIC, IN THAT THE DEFENDANT DID INTENTIONALLY CAUSE A PUBLIC ALARM BY BLOCKING PEDESTRIAN TRAFFIC AND DID REFUSE TO LEAVE WHEN OFFICER TOLD HIM TO DO SO.

195.05 - OBSTRUCTING GOVERNMENTAL ADMINISTRATION IN SECOND DEGREE

IN THAT THE DEFENDANT, WHILE AT 585 ELMWOOD AVENUE, DID INTENTIONALLY ATTEMPT TO PREVENT A PUBLIC SERVANT FROM PERFORMING AN OFFICIAL FUNCTION BY MEANS OF INTERFERENCE, IN THAT THE DEFENDANT DID INTENTIONALLY ATTEMPT TO PREVENT THE OFFICERS FROM PLACING HIM UNDER ARREST AND DID STRUGGLE WITH OFFICERS AND HAD TO BE FORCIBLY SUBDUED, HANDCUFFED AND PLACED UNDER ARREST.

PLEASE TAKE NOTICE PURSUANT TO CPL 710.30 OF THE PEOPLE'S INTENT TO OFFER AT TRIAL EVIDENCE OF DEFENDANT'S STATEMENTS TO A PUBLIC SERVANT AS REFERENCED ABOVE

SDB

Relationship: NONE

NOTICE: False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the New York State Penal Law.

Officer's/Complainant's Signature

Supporting Deposition(s) Attached?

Yes ☐ No ☒

DET NARC
Rank/Assignment

4-1-2010
Date

Agency File No. 10-04078

CITY OF BUFFALO - DEPARTMENT OF POLICE CRIME AND INCIDENT RECORDS UNIT

74 FRANKLIN STREET • ROOM 100 • BUFFALO, NEW YORK • 14202

APPEARANCE TICKET

Issued to: ADAMSON ZACHARY S 7/28/56 ☒ Male ☐ Female
(DEFENDANT'S LAST NAME) FIRST MI D.O.B.
83 DELHAM COURT BLFO 704 606 9184
(ADDRESS) CITY ZIP CODE PHONE

YOU ARE HEREBY DIRECTED TO APPEAR PERSONALLY IN PART TWO, OF THE
 CITY COURT OF BUFFALO 50 DELAWARE AVENUE, CITY OF BUFFALO, NEW YORK.

ON APRIL 8TH, 20 10 at 9:30 AM, in connection with your alleged commission of:
DISORDERLY CONDUCT, OBSTRUCTING contrary to the provisions of:
240.195 20-3.5
05
SECTION SUBSECTION of the: ☒ Penal Law of the State of New York

- ☐ Vehicle and Traffic Law of the State of New York
☐ Ordinances of the City of Buffalo
☐ _____ Law.

Committed at: 585 ELHWOOD AVE, in the City of Buffalo
 on the 1ST day of APRIL, 20 10 at 2000 ~~PM~~ / PM.

I, the undersigned, do hereby acknowledge receipt of this Appearance Ticket and do agree to appear as directed. I further understand that my failure to appear in City Court as directed, may result in a Criminal Summons or a Warrant for my arrest may be issued (CPL 150.60). If I have posted bail, the bail will become forfeit upon my failure to comply with the directives of this Appearance Ticket (150.30).

[Signature]
 SIGNATURE OF DEFENDANT (SIGNATURE IS NOT AN ADMISSION OF GUILT)

ISSUED AND SUBSCRIBED BY:

Warrant check performed by:

[Signature]
 OFFICER'S SIGNATURE

[Signature]
 MEMBER PROVIDING WARRANT CHECK

SHARON ACKER
 ISSUING OFFICER (PRINT)

Source of Identification:

NARC 1365
 ASSIGNMENT

ISSUE TIME

- ☐ New York State Driver's License
☐ Known to Issuing Officer

☒ Other: N.C. DRIVERS LICENSE

Docket No. _____
CD No. 10-0910893
AFN 10-04078-18

NOTICE TO DEFENDANT OF INTENTION TO OFFER EVIDENCE AT TRIAL (CPL 710.30 AND 700.70)

PEOPLE OF THE STATE OF NEW YORK
-VS-

DEFENDANT: ADAMSON, ZACHARY, S.

DOB: 0728/1956

Date of Arrest: 04/01/2010

Officer in charge of case: DET. JOSEPH COOK

Assignment: NARCOTICS

THE PEOPLE INTEND TO OFFER AT TRIAL:

I. **STATEMENTS BY DEFENDANT:** EVIDENCE OF A STATEMENT MADE BY THE DEFENDANT TO A PUBLIC SERVANT ENGAGED IN LAW ENFORCEMENT ACTIVITY OR TO A PERSON THEN ACTING UNDER HIS DIRECTION OR IN COOPERATION WITH HIM.

- ☐ 1. Written statement (attach copy)
☐ 2. What was said by the defendant at the time of arrest? (specify: date, place, content and to whom)
☒ 3. No statements were made **Arresting Officers Initials** _____

CY

IDENTIFICATION OF DEFENDANT: TESTIMONY IDENTIFYING THE DEFENDANT AS A PERSON WHO COMMITTED THE OFFENSE CHARGED BY WITNESSES WHO HAVE IDENTIFIED HIM AS SUCH PRIOR TO ARREST / TRIAL. SPECIFICALLY:

WHO MADE IDENTIFICATION OF DEFENDANT? (SPECIFY NAME) OFFICERS

Date 04 / 01 / 2010

Place 585 ELMWOOD AVE.

- ☒ Showup Identification
☐ Photograph Identification
☐ Line-up
☐ Observation of defendant upon some other occasion **relevant** to case
☐ Other (specify)